

MOOT COURT SOCIETY | SYMBIOSIS LAW SCHOOL, NOIDA
Symbiosis International (Deemed University), Pune

12th NASCENT Moot Court Competition, 2022

Rules & Regulations

INTRODUCTION

Moot Court Society of Symbiosis Law School, NOIDA (hereinafter MCS-SLSN) announces its 12th Annual Edition of NASCENT Moot Court Competition - Session 2021-22 (hereinafter NASCENT) for selections (internal elimination) of learners for Academic Year 2022-23 as pleaders and researchers to its Mooting Contingent-XVI (hereinafter C-XVI) for representing Symbiosis Law School, NOIDA in the External Moot Court Competitions (hereinafter EMCC) during the Academic Year 2022-23.

This is Eleventh Academic Year of continuous mooting at SLS-NOIDA. Way ahead, we are **only looking for devoted candidates** who are committed to the serious activity of mooting for the next five academic years at SLSN. It may be understood from the ideology that we are **selecting only 18-22 members** (or less as may be deemed fit) for C-XVI.

Note: NASCENT 2022 shall be conducted **on SLS-NOIDA campus in face-to-face mode**. Please note that if there is any change in the platform AND/OR *mode* of the competition, the participants shall be duly intimated.

Ideology

Aspirants must see in themselves;

- Ability to manage internal and/or external examinations alongside mooting.
- Ability to deliver INDIVIDUALLY as well as a TEAM, (if there will be lapses in the commissioning of work, first time – express warning, second time – express termination).
- Ability to perform without complaints and blame-games.
- Ability to manage Internships during and/or post academic year.
- Ability to manage their health, maximum class attendance and deliver work within time.
- Ability to maintain total academic discipline and professional culture.

I. AIM AND PURPOSE

- a. The aim of NASCENT is to provide an opportunity to the learners to hone their advocacy skills at an internal level before heading out to EMCCs.
- b. The purpose of NASCENT is to act as a platform for a competition-based internal elimination process to select best budding advocates to represent SLS, NOIDA at EMCCs.

II. PRELIMINARY

- A. The MCS-SLSN is organizing **NASCENT Moot Court Competition, 2022 on Sunday, June 12, 2022 from 09:00am IST onwards.** Participants are required to follow the time, schedule and rules of the competition strictly. In case of any ambiguity or doubt regarding rules/time/schedule, kindly email your query at nascentmoot@symlaw.edu.in . Violation of any rule may lead to disqualification to participate in the competition.
- B. 'NASCENT Moot Court Competition' is 'Internal Elimination' round for the selection of learners to represent SLS-NOIDA in EMCCs.
- C. '**External Moot Court Competitions' or EMCC** shall include all/any inter-collegiate moot court competitions, and also negotiation/client counseling or consultation/ arbitration/ mediation-arbitration/ trial advocacy/ judgement writing competitions, both at national and international levels that SLS-NOIDA participates in from time to time including EMCCs hosted by or associated with SLS-NOIDA. **No learner of SLSN shall be allowed to participate in any EMCC at any level except through the express allotment by the MCS of SLS-NOIDA for the purpose.**
- D. 'CONTINGENT-XVI' or C-XVI includes group of learners selected out of all the candidates / participants / contestants of NASCENT.
- E. MCS-SLSN will form new teams from 'C-XVI' for sending the teams for national/international EMCCs. Learners should be willing to gain exposure through participation throughout India, and abroad, if deemed fit for the opportunity. Selected members are required to obtain passport upon declaration of results for NASCENT.

- F. Deficiency in meeting minimum standards of selection criteria or qualification by the participants in NMCC may lead to reduced number of members being selected for 'C-XVI' without prior notice and further clarifications.
- G. Selected members are required to dedicate their time to EMCC(s) solely without participating or being involved in any other activity, be it academic or cultural etc., at the law school, except for prior express permission for the same.
- H. MCS-SLSN saves the right to decide any dispute arising out of the rules of Nascent 2022.
- I. NASCENT 2022 shall be conducted virtually. However, if there is any change in the platform AND/OR *mode* of the competition, the participants shall be duly intimated.

III. ELIGIBILITY AND TEAM COMPOSITION

- a. NASCENT is open to all learners of Batch 2021-26 enrolled in B.A./B.B.A. LL.B. Programme at SLS-NOIDA.
- b. Each eligible learner is to **form a team of two participants** with another eligible learner and register as per Rule VI herein. Both team members are required to plead during the oral rounds.
- c. A team may be composed of learners from any of the two Programmes, i.e., one member from BA.LL.B. and other member from BBA.LL.B., OR both members from same Programme, i.e., both members from BA.LL.B. or from BBA.LL.B.

IV. LANGUAGE

NASCENT shall be in English.

V. DRESS CODE

For all oral rounds: Advocate's uniform as per the Advocates Act, 1961 (except band and gown).

VI. REGISTRATION

Interested eligible learners are to register for NASCENT 2022 in accordance with the following procedure:

- a. Fill complete details in the **Google-Form for 12th NASCENT 2022** by answering all questions and uploading photographs of both participants of the team.
- b. Teams must ensure that they fill in the complete and correct details as the same shall be used to contact them for any information relevant and to send notifications for the competition.
- c. You are to fill the form as a team and **ONLY ONCE**.
- d. Please check your inbox email for receipt of copy of responses, for registration acknowledgement. MCS shall not be liable for technical failures.
- e. Registration must necessarily be done either on or before the last date and time per the Schedule of 12th NASCENT 2022 (hereinafter "**Schedule**"). **Registration after the stipulated last date and time shall be deemed no registration**, and no member of such team shall be allowed to participate in NASCENT 2022.
- f. MCS shall send an email to the team at the registered email address per the Schedule of 12th NASCENT 2022 (hereinafter "**Schedule**"), containing '**team code**'. The receipt of Team Code per Schedule is confirmation of registration of the team for NASCENT 2022.
- g. The team code shall be used to identify the memorials of the team as well as to score the team during pleading rounds.**
- h. Candidates are advised to write an email to MCS at the aforementioned email address in case they don't receive their team code per schedule.
- i. Participants are advised to strictly adhere to the rules for confirmation of registration.
- j. **Withdrawal:** After registering for NASCENT, in case a team or any member thereof withdraws its participation, the same is required to be promptly informed to the MCS **vide email** specifying the reason(s) for such withdrawal at nascentmoot@symlaw.edu.in . However, no withdrawal shall be permitted after the expiry of 48 hours after the last date of registration. In no case, the withdrawing candidate/team will be allowed to contest in NASCENT 2022.
- k. Withdrawal of one member of a team is invalidation of that team. MCS-SLSN may allow the residual candidate to contest as 'sole counsel'. Permission for pleading and participating as sole counsel needs to be sought by the residual candidate by sending an email to nascentmoot@symlaw.edu.in. No request for**

pleading as a sole counsel shall be entertained once the 'draw of lots' has been conducted.

- i. **Absence:** Team/team member who fail(s) to turn-up for the pleading round per schedule, for any reason(s), shall be deemed to have impliedly withdrawn her/his candidature from participating in 'NASCENT', thereafter, no claim shall subsist for him/her. There is no provision for any extenuating circumstances.
- m. **Under no circumstances, an absentee will be allowed to participate in any EMCC for that Academic Year.**

VII. MEMORIALS

a. Submission

- i. Each team is required to prepare and submit memorials from both sides (i.e., Plaintiff/Petitioner and Defendant/Respondent).
- ii. Both memorials shall be submitted in soft copy as well as hard copy. For details of submission, see points vi and vii below.
- iii. **No memorial should indicate the identity of any participant in any manner, except for Team Code.**
- iv. Memorials not adhering to the rules, including submission deadlines, will be returned and shall be deemed not submitted. Such teams shall not be allowed to appear for the Oral Rounds and shall be considered Absent for NASCENT 2022.
- v. **Delay in submission of memorials will invite deduction of 3 marks from both memorials of the team for every hour beyond the deadline for submission** as given in the Schedule. If the delay exceeds 30 hours, the team shall not be allowed to participate in NASCENT 2022.
- vi. **Hard Copy Submission**
 - Each team must submit **03 copies** of the memorial each for the Plaintiff/Petitioner and the Defendant/Respondent in adherence to the schedule announced herewith.
 - **The 'Team Code' issued by the MCS is to be mentioned on top-right corner of the cover-page and every page of both memorials. Kindly make sure that team code on the cover page is legible and is not missed due to the cover page being coloured.**

- Name of the Competition, i.e., “12th NASCENT Moot Court Competition, 2022, Symbiosis Law School, NOIDA” should be mentioned on the cover page of both memorials.
- Names of the team members shall not be mentioned anywhere in the memorials. If the said rule is violated, the memorials shall be considered as not submitted, and the team will be barred from appearing in the pleading rounds.
- MCS will not take into account, even on credible evidence, rush or queue at the campus reprographic centre, non-availability of coloured paper or spiral binding facility, insufficient print-out facility/resources, stationery etc. as ground(s) of extension of time or acceptance of delayed submission or concession of time etc. in any case; we will not bend the rule for any one or for all.

vii. **Soft Copy Submission**

- Soft copy of the memorials from both sides must be sent strictly per scheduled time and date announced through Schedule, **as e-mail attachments (IN .PDF FORMAT ONLY)** in one email to nascentmoot@symlaw.edu.in. Only one member of the team shall send the memorials on behalf of the team **with the second member CC'ed to the email.**
- The **subject** of the email should be '*Team Code – Memorials for Nascent 2022*'. The **memorials shall be attached in .pdf format only** with files named as “Plaintiff – *team code*” and “Defendant – *team code*” OR “Petitioner – *team code*” and “Respondent – *team code*” - as deemed appropriate in terms of the moot proposition.
- Please check your outbox/sent/drafts to ensure email delivery confirmation; MCS shall not be liable for bounced or undelivered email.
- **Once the soft copy of the memorials has been submitted, no revisions, additions or formatting in the hard copy submission of the same is permitted.**
- We will not take into account any crashing of hard drive, loss of data, loss of gadgets etc. as a ground of extension of time or delayed submission or concession of time etc. even procuring and producing credible evidences will not bend the rule for any one or for all.

- viii. Each team should ensure that the soft as well as hard copy of their memorials is same in content as well presentation, including formatting. No differences, whatsoever, are permitted.
- ix. Teams will receive an 'acknowledgement' email to their 'soft copy submission'. Teams are advised to contact the MCS in case they do not receive an acknowledgement, after the expiry of 4 working days of last date of submission.
- x. **Submission of memorials, both soft and hard copy, can be made either before or on the last date as per Schedule announced, ONLY ONCE.** However, once submission is made, no further submission shall be accepted as overriding the previous submission. Teams must not make such request. **In case there are two or more submissions by a team, whether on or before the due date, the first one sent by the team shall be considered as the team's final submission.**

b. Plagiarism & Copying

- i. Teams shall be JOINTLY AND SEVERALLY duty bound to ensure that the memorials are original in content. If any memorial(s) is found to be a copy of another, either in whole or in part(s), both teams shall be disqualified from NASCENT. Please note that plagiarism and copying is a serious violation of rules and is an instance of academic indiscipline.
- ii. Teams are advised to keep genuine safe keeping measures with respect to their memorials.
- iii. The defaulting teams may also be barred from participating in NASCENT/ASCENT in future.

c. Colour Scheme

The colour page of the memorial for the plaintiff/petitioner, in both soft as well as hard copy, must be **BLUE**, and that for the defendant/respondent must be **RED**. Teams should ensure that the Team Code is **clearly visible** on these coloured pages.

d. Format of Memorial

- i. Each memorial should consist of the following parts:
 - Cover Page

- Table of Contents
 - Index of Authorities
 - Index of Abbreviations
 - Statement of Jurisdiction
 - Statement of Facts
 - Statement of Issues
 - Summary of Arguments
 - Arguments Advanced
 - Prayer
- ii. The following part of each memorial should not exceed 25 typed pages:
- Summary of Arguments
 - Arguments Advanced
 - Prayer
- iii. The memorials should be printed on **BOTH** side of the paper, typed on A-4 sheet with black ink.
- iv. The memorials should be spiral bound for hard copy submission. Each copy of each side's memorial should be separately spiral bound.
- v. The Font Style of the contents of the memorial should be Times New Roman, Font Size should be 12 and spacing 1.5.
- vi. The footnotes should be in Times New Roman style, size – 10, spacing 1.
- vii. Memorial must have **1.2-inch margin** on all sides of each page.
- viii. A **uniform citation system** is required to be followed in the memorials.
- ix. Relevant annexures (not more than 25 one side printed pages), if any, may be kept as **compendium** if required to be relied upon during the 'Oral Round'. **Hard Copy** of the relevant compendium must be submitted to MCS immediately at the conclusion of 'draw of lots'. Soft copy of this compendium is required to be submitted as an email to nascentmoot@symlaw.edu.in. Only one member of the team shall send the compendium(s) on behalf of the team **with the second member CC'ed to the email**. The last date for submitting and emailing compendium is as per the **Schedule**. Compendium sent after the due date will not be allowed to be relied on by the team/member during the Pleading Rounds.

e. Evaluation

Every memorial will be marked **on the scale of 100**. For the purpose of calculation, the average score of both memorials (i.e. plaintiff/petitioner and defendant/respondent) will be the final score of an individual/team for the purpose of selection.

The memorial shall be evaluated according to the following criteria:

| S.No. | Marking Criteria | Marks |
|-------|---|-------|
| 1. | Summary of Facts | 10 |
| 2. | Issues Raised | 10 |
| 3. | Grammar, General Impression & Style of Presentation | 10 |
| 4. | Application of Law to Facts | 20 |
| 5. | Incorporation and Use of Authorities | 15 |
| 6. | Depth of Research & Clarity of Thought | 15 |
| 7. | Uniform Citation and Adherence to Format | 20 |

VIII. ORAL ROUNDS

- a. **DRAW OF LOTS:** Pairs of teams shall contest oral rounds in each designated court room, and each team shall argue only once in the oral pleading round from either side i.e., Plaintiff/Petitioner or Defendant/Respondent based on the **DRAW OF LOTS**, which will take place per schedule announced. **There WILL be exchange of memorials.**
- b. **TIME DURATION:** In the oral rounds **each team** shall speak for a **MAXIMUM** of 20 minutes, out of which 02 minutes are saved for rebuttal and/or sur-rebuttal. There is no further rebuttal of sur-rebuttal and so on so forth, if it happens, it will not be counted. Before the start of the Oral Rounds of any team, the speakers shall inform their court master regarding the distribution/allocation of time between them through the **Attendance Slip**. **Each speaker of a team must speak to the minimum of eight minutes (08 minutes) and maximum of twelve minutes (12 minutes)**. The time allotted (in total) and distributed (among pleaders) must be taken care of by each pleader; otherwise, bench may mark

exceeded time negatively. Please note that the **sole counsel** also has a maximum of twelve minutes (12 minutes) to speak before the bench/judge including time for rebuttal/sur-rebuttals.

- c. **STANDARDS:** All the standard moot court mannerism must be followed as per national level competition, keeping in view the applicable laws.

IX. EVALUATION OF ORAL ROUNDS

The oral pleadings of **each** speaker shall be marked **on a scale of 100 per judge**. However, for calculation of final score, the average score of all the judges will be taken. The oral rounds will be evaluated on the following grounds:

| S. No. | Marking Criteria | Marks |
|---------------|--|-------------------------------|
| 1. | Knowledge of Facts | 10 |
| 2. | Framing of Issues (Logical and Reasoned) & Clarity of Thought | 15 |
| 3. | Knowledge & Application of Law | 20 |
| 4. | Advocacy (Cohesive & Convincing Arguments, Style & Structure of Arguments, Expression, Articulation) | 30 |
| 5. | Use of Authorities | 15 |
| 6. | Court Mannerism & Deference, Professional Conduct & General Impression | 10 |
| 7. | Deductions, if any | As per Discretion of Judge(s) |
| | TOTAL | 100 |

X. SCOUTING

Sitting in or attending other court room(s) or listening to the proceedings of any other team inside their court room is strictly prohibited and is a fit case of SCOUTING and may lead to termination of the suspect individual or team. Teams, or any member thereof, are not allowed to observe oral rounds of any other team except while their own pleading rounds are on-going. Non-participants cannot

observe court proceedings in any court-room without prior permission, and as such are prohibited from discussing any court's proceedings with any participant of NASCENT 2022 or any learner till the last round of the competition is over in all court-rooms.

XI. SELECTION

- a. Members for C-XVI will be selected **individually** on the basis of the **combined score** of memorial and marks obtained individually in pleading/oral rounds.
- b. Upon selection, if a member opts to withdraw from C-XVI, an email for the same, stating appropriate reasons for withdrawal, must be sent to mootcourt@symlaw.edu.in on or before August 2, 2022.
- c. No person who has not participated in NASCENT 2022, both in submission of memorials, and oral rounds, shall be selected for any EMCC and shall also not be a part of Mooting Contingent-XVI, for the Academic Year 2022-23.

XII. DEEMED ATTENDANCE

- a. No exemption in attendance from classes/tutorials/examinations internal and/or external/internships etc. is available/applicable for the preparation of NASCENT.
- b. Deemed attendance in case of 'EMCC' will be available only for the duration of travel and competition, excluding Holidays. The same shall be commensurate with the itinerary of the competition.
- c. Participants should take note of the rules and should not raise the issue of exemption during their preparation for any 'EMCC'.

XIII. SAVINGS

- a. No student shall be allowed to participate in any EMCC at any level except through the express allotment by the MCS of SLS-NOIDA for the purpose.
- b. Any EMCC which is not in the participation list of MCS-SLSN cannot be taken part in by any *bonafide* student of the SLS-NOIDA unless by the express / special permission in compliance with all the rules specially laid down / notified for same purpose.
- c. MCS-SLSN reserves the right to resolve all disputes arising out of NASCENT 2022 including those relating to selection procedure, results etc. It further reserves the right to modify and/or add to the

selection procedure and/or marking criteria, or any other rule owing to necessity or objectivity.

XIV. MISCELLANEOUS

- a. No team or any of its member should seek assistance for conducting research or writing or editing or formulation/development of its oral arguments or written submissions from any faculty member of SLSN. Teams are also advised to take due care if seeking help from any current student or alumni of SLSN and the same shall **not be excessive**.
- b. There is only one participation of one candidate in any one team as its member, therefore, the participants must ensure that they **register only once**.
- c. To be present for the oral rounds at the stipulated date and time is the responsibility of each participant. Travel, health, climate, network/internet connectivity issues etc., and other impediments are not our consideration, and these are to be taken care of by the participants themselves.
- d. The **SCHEDULE** announced separately is deemed to be a part of Rules & Regulations of NASCENT 2022.

***** ALL THE BEST! *****